

EXHIBIT 1

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

**TAMARA L. ESCUDERO AND
KENDRA MARIE WILKES,**

Plaintiff

v.

**VCA METROPLEX ANIMAL HOSPITAL
AND PET LODGE**

Defendants

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Civ. Action No. _____

INDEX OF STATE COURT'S FILE

1. Docket Sheet
2. Plaintiffs' Original Petition
3. Request for Service
4. Citation – VCA Metroplex Animal Hospital & Pet Lodge

Case Information

DC-20-16124 | TAMARA L. ESCUDERO, et al vs. VCA METROPLEX ANIMAL HOSPITAL & PET LODGE

Case Number	Court	Judicial Officer
DC-20-16124	14th District Court	MOYE', ERIC
File Date	Case Type	Case Status
10/26/2020	OTHER (CIVIL)	OPEN

Party

PLAINTIFF	Active Attorneys▼
ESCUDERO, TAMARA L.	Lead Attorney
Address	CROMAN, DENNIS R
1155 ESTERS RIAD, #207	Retained
IRVING TX 75061	

PLAINTIFF	Active Attorneys▼
WILKES, KENDRA MARIE	Lead Attorney
Address	CROMAN, DENNIS R
3600 Alma Road, #3822	Retained
Richardson TX 75080	

DEFENDANT
VCA METROPLEX ANIMAL HOSPITAL & PET LODGE
Address
BY SERING ITS MANAGER TIMOTHY JOHNSON
700 WEST AIRPORT FREEWAY
IRVING TX 75062

Events and Hearings

10/26/2020 NEW CASE FILED (OCA) - CIVIL

10/26/2020 ORIGINAL PETITION ▼

PLAINTIFF'S ORIGINAL PETITION

10/27/2020 REQUEST FOR SERVICE ▼

REQUEST FOR SERVICE

10/27/2020 ISSUE CITATION ▼

CITATION - VCA METROPLEX ANIMAL HOSPITAL & PET LODGE - ESERVE

10/30/2020 CITATION ▲

NO. _____

DALLAS COUNTY, TEXAS

Page 1

6. Defendant, VCA Metroplex Animal Hospital & Pet Lodge, is a 24-hour veterinary clinic and pet lodge doing business in the State of Texas, with its principal place of business located at 700 West Airport Freeway, Irving, Dallas County, Texas 75062. Process may be had by serving the Manager of the company, Timothy Johnson, 700 West Airport Freeway, Irving, Texas 75062. Service on Defendant as described above may be effected by personal delivery.

JURISDICTION AND VENUE

7. The subject matter in controversy is within the jurisdictional limits of this court because this case arises under the Texas Labor Code, the Americans with Disabilities Act, the Equal Employment Opportunity Act, the Equal Pay Act, and all of the actions complained of herein occurred in Dallas County, Texas.

8. Plaintiff, Tamara L. Escudero seeks:

a. only monetary relief of \$500,000 or less, including damages of any kind, penalties, costs, expenses, pre-judgment interest, and attorney fees.

9. Plaintiff, Kendra Marie Wilkes, seeks:

a. only monetary relief of \$200,000 or less, including damages of any kind, penalties, costs, expenses, pre-judgment interest, and attorney fees.

10. This court has jurisdiction over the parties because Defendant is a business entity with its home office in Texas.

11. Venue in Dallas County is proper in this cause under Section 15.002(a)(1) of the Texas Civil Practice and Remedies Code because all or a substantial part of the events or omissions giving rise to this lawsuit occurred in this county.

FACTS REGARDING PLAINTIFF, TAMARA L. ESCUDERO

12. Plaintiff, Tamara L. Escudero, is a 57-year old white female who began working for Defendant, VCA Metroplex Animal Hospital and Pet Lodge, in December of 2015

13. On October 3, 2019, Plaintiff was forced to leave her place of employment because she was being sexually harassed, she was being discriminated against because of her age, and she was afraid for her personal safety while at work. Following her departure from the company, she filed for unemployment benefits; however, her manager, Allen Stredwick, disputed her claim. In December of 2019, Plaintiff filed an appeal with the HR Department of the company.

SEXUAL HARASSMENT

14. Plaintiff Escudero was employed by Defendant as a Customer Service Representative from December 24, 2015 through October 2, 2019, when she was forced to resign because she was the victim of on-going sexual harassment from her supervisor, Allen Shredwick. Mr. Shredwick constantly and continuously made improper and lewd comments and remarks both to and about Plaintiff and otherwise created a hostile working environment for Plaintiff. The environment because so severe, that Plaintiff was forced to resign. Plaintiff has been injured because of this sexual discrimination and harassment for which she seeks relief.

Plaintiff Escudero has suffered damages because of Defendant's actions and the conduct of Defendant's Medical Director, Allen Shredwick, proximately caused Plaintiff to suffer severe emotional distress, mental anguish, indignation, wounded pride, shame and despair. In addition, the conduct of Defendant's Medical Director, Allen Shredwick, has proximately caused Plaintiff to suffer pecuniary losses and employment opportunities.

On August 20, 2020, Plaintiff Escudero filed a discrimination claim with the Texas Workforce Commission Civil Rights Division, claiming that she had been sexually harassed at her place of employment with VCA Metroplex Animal Hospital and Pet Lodge.

AGE, SEX & WAGE DISCRIMINATION

15. Plaintiff Escudero alleges that Defendant's actions were intentional and a direct effort to drive her from her employment with the company because of her sex, age and disability. That she was discriminated against in an attempt to cause her to resign and drive her from her employment by humiliating and disparaging her. Further, Plaintiff alleges that she was discriminated against by Defendant pursuant to the Equal Pay Act in that she was paid a lesser amount than other employees, including newly hired employees. Plaintiff would show that new employees were often hired at a higher rate of pay than Plaintiff was receiving even though they were doing the same or less job than Plaintiff. Plaintiff had established herself as a valuable employee when the discrimination occurred.

WRONGFUL TERMINATION

16. Plaintiff Escudero would show that she was forced to resign from Defendant company because of her sex, age and disability for, but not limited to, the following reasons:

- a. The ongoing sexual harassment from Allen Shredwick and other employees;
- b. The harassment and comments made to and about her because of her age;
- c. The fact that she was paid less money than many of the newly hired employees;
- d. Physical injuries sustained to her foot as a result of being forced to work 12-hour shifts that required constant standing.

Because of these reasons, the workplace became unbearable and Plaintiff Escudero had no choice but to resign from the company on October 3, 2019. Plaintiff Escudero therefore brings suit for damages as a result of her wrongful termination.

AMERICANS WITH DISABILITIES ACT

17. Plaintiff Escudero would show that she was injured on the job while working for Defendant. That she sustained injuries to her left foot around the heel area while working as a Vet-Tech and was required to stand for 12-hour shifts. She sought medical attention and was under a doctor's care for several weeks. She was diagnosed with Plantar Fasciitis which is caused from standing too long on one's feet. Plaintiff had to undergo physical therapy, was on pain medication, and her left foot was in a pneumatic walking boot for a period of six weeks. Her doctor wrote a note to her employer stating that Plaintiff was not to stand more than 2 hours at a time and to only work 8-hour shifts. In spite of the doctor's instructions, Plaintiff's supervisor, Trilby Loch, still asked her to work a 10-hour shift, all in violation of Title 1 of the *Americans With Disabilities Act* which protects the rights of employees from such discrimination.

FACTS REGARDING PLAINTIFF KENDRA MARIE WILKES

18. Plaintiff, Kendra Marie Wilkes, is a 29-year old white female who began working for Defendant, VCA Metroplex Animal Hospital and Pet Lodge, on or about April of 2016.

19. In June of 2019, Plaintiff Wilkes was forced to leave her place of employment because her job was being threatened and she was being discriminated against.

HARASSMENT

20. Plaintiff Wilkes was employed by Defendant as a veterinary assistant from April of 2016 until June of 2019, when she was forced to resign because she was being harassed and her job was threatened multiple times by Allen Stredwick. On many occasions, she tried to report these situations to her supervisor or to the HR Department, but Stredwick's behavior was always excused or dismissed. Plaintiff often felt bullied to the point she would go home at night distraught and upset because of the hostile work environment. Plaintiff continued working at

Defendant's place of employment in the hopes that other employees would file reports as well.

Several employees left during the time Plaintiff was employed at VCA because of the way they were treated by Allen Stredwick and Trilby Loch. These employees chose to quit rather than speak up or report Stredwick or Loch because they wanted to stay in the veterinary field and felt it would affect their future job options. At one point, an incident was blamed on Plaintiff Wilkes and she was not even clocked in when it occurred; however, she was still written up.

WAGE DISCRIMINATION

21. Plaintiff Wilkes alleges that Defendant's actions were intentional and a direct effort to drive her from her employment with the company. That she was discriminated against in an attempt to cause her to resign by humiliating her and making disparaging remarks. Further, Plaintiff alleges that she was being paid less than other employees. Also, although another employee was being aggressive toward patients, he was promoted over a female worker who had been with the company longer and deserved the promotion more. Plaintiff was never personally harassed sexually but was aware that sexual harassment and sexual discrimination was taking place in the company.

WRONGFUL TERMINATION

22. Plaintiff Wilkes would show that she was forced to resign from Defendant company because of her disability and harassment including, but not limited to, the following reasons:

- a. The ongoing harassment from Allen Stredwick and other employees;
- b. The fact that she was paid less money than many of the newly hired employees;

Because of these reasons, the workplace became unbearable and Plaintiff had no choice but to resign from the company in June of 2019. Plaintiff Wilkes therefore brings suit for damages as a result of her wrongful termination.

DAMAGES

23. Plaintiffs hereby file suit against Defendant under the above-mentioned Acts for damages, wages not paid, and for work discrimination due to sex, age, and disability.

REQUEST FOR DISCLOSURE

24. Defendant is required to disclose, within fifty (50) days from service of this petition, the information and/or material described in Rule 194.2 of the Texas Rules of Civil Procedure and provide such responses to Plaintiffs.

ATTORNEY'S FEES

25. Plaintiffs would show that it was necessary to secure the services of Dennis R. Croman, a licensed attorney, to represent them in this matter. That said Defendant should be awarded a reasonable fee for his services herein which should be taxed against the Defendant.

PRAYER

WHEREFORE, PREMISES CONSIDERED, Plaintiffs respectfully pray that the Defendant be cited to appear and answer herein, and that upon a final hearing of the cause, judgment be entered for the Plaintiffs, jointly and severally, against Defendant for damages in an amount within the jurisdictional limits of the Court; for back wages, for compensatory damages for future wage loss, emotional pain and suffering, mental anguish, and other pecuniary losses; that a judgment be taken against Defendant for attorney's fees and costs incurred herein, including reasonable expert fees, together with pre-judgment and post-judgment interest at the

maximum amount under the law; and for such other and further relief to which Plaintiffs may be justly entitled at law or in equity.

Respectfully submitted,

By: / s / Dennis R. Croman
Dennis R. Croman
Texas Bar No. 05102000
Email: cromanlaw@aol.com
4425 West Airport Frwy., #242
Irving, TX 75062
Phone: 972-887-3072
Fax. 972-887-3199
Attorney for Plaintiffs

PLAINTIFFS HEREBY DEMAND A TRIAL BY JURY

***Law Offices of
Dennis R. Croman, Inc.
A Professional Corporation***

***4425 West Airport Freeway, Suite 242
Irving, Texas 75062
Phone: (972) 887-3072 Fax: (972) 887-3199
cromanlaw@aol.com***

October 27, 2020

District Clerk's Office
Dallas County
George Allen Courts Bldg.
600 Commerce St., #103
Dallas, TX 75202

RE: Cause No. DC-20-16124
Tamara Escudero and Kendra Wilkes vs.
VCA Metroplex Animal Hospital and Pet Lodge

Dear Clerk:

Plaintiffs' Original Petition in the above cause was e-filed in the 14th Judicial District Court on October 26, 2020.

Please issue a citation to the Defendant, ***VCA Metroplex Animal Hospital and Pet Lodge***, and email the citation to my assistant at GINNYJAMES@aol.com. I will then forward the citation to a private process server for service.

We are this date paying the fee of \$8.00 to cover the cost for issuance of the citation. Thank you.

Sincerely,

/ s / *Dennis R. Croman*

Dennis R. Croman

DRC:vj

**FORM NO. 353-3 - CITATION
THE STATE OF TEXAS**

**To: VCA METROPLEX ANIMAL HOSPITAL & PET LODGE
BY SERING ITS MANAGER TIMOTHY JOHNSON
700 WEST AIRPORT FREEWAY
IRVING TX 75062**

GREETINGS:

You have been sued. You may employ an attorney. If you or your attorney do not file a written Answer with the clerk who issued this citation by 10 o'clock a.m. of the Monday next following the expiration of twenty days after you were served this citation and **petition**, a default judgment may be taken against you. Your answer should be addressed to the clerk of the **14th District Court** at 600 Commerce Street, Ste. 101, Dallas, Texas 75202.

Said Plaintiff being **TAMARA L. ESCUDERO AND KENDRA MARIE WILKES**

Filed in said Court **26th day of October, 2020** against

VCA METROPLEX ANIMAL HOSPITAL & PET LODGE

For Suit, said suit being numbered **DC-20-16124**, the nature of which demand is as follows:
Suit on **OTHER (CIVIL)** etc. as shown on said petition **REQUEST FOR DISCLOSURE**, a copy of which accompanies this citation. If this citation is not served, it shall be returned unexecuted.

WITNESS: FELICIA PITRE, Clerk of the District Courts of Dallas, County Texas.
Given under my hand and the Seal of said Court at office this 30th day of October, 2020.

ATTEST: FELICIA PITRE, Clerk of the District Courts of Dallas, County, Texas

By *Carlenia Bouligny*, Deputy
CARLENIA BOULIGNY



ESERVE

CITATION

DC-20-16124

**TAMARA L. ESCUDERO, et al
Vs.
VCA METROPLEX ANIMAL HOSPITAL
PET LODGE**

**ISSUED THIS
30th day of October, 2020**

**FELICIA PITRE
Clerk District Courts,
Dallas County, Texas**

By: CARLENIA BOULIGNY, Deputy

**Attorney for Plaintiff
DENNIS R CROMAN
4425 W AIRPORT FWY STE 242
IRVING TX 75062
972-887-3072
cromanlaw@aol.com**

**DALLAS COUNTY
SERVICE FEES
NOT PAID**

OFFICER'S RETURN

Case No. : DC-20-16124

Court No. 14th District Court

Style: TAMARA L. ESCUDERO, et al

Vs.

VCA METROPLEX ANIMAL HOSPITAL & PET LODGE

Came to hand on the _____ day of _____, 20_____, at _____ o'clock _____ .M. Executed at _____, within the County of _____ at _____ o'clock _____ .M. on the _____ day of _____, 20_____, by delivering to the within named _____

Each, in person, a true copy of this Citation together with the accompanying copy of this pleading, having first endorsed on same date of delivery. The distance actually traveled by me in serving such process was _____ miles and my fees are as follows: To certify which witness my hand.

For serving Citation \$ _____

For mileage \$ _____ of _____ County, _____

For Notary \$ _____ by _____ Deputy

(Must be verified if served outside the State of Texas.)

Signed and sworn to by the said _____ before me this _____ day of _____, 20_____,

To certify which witness my hand and seal of office.

Notary Public _____ County _____